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8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 ALONZO BROWN,

11 Plaintiff,

No. 2:10-cv-1148 KJN P

12 vs.

13 INTERNAL AFFAIRS,

14 Defendant.

ORDER

15 \_\_\_\_\_/  
16 Plaintiff, a state prisoner proceeding without counsel, has filed a civil rights action  
17 pursuant to 42 U.S.C. § 1983, together with a request to proceed in forma pauperis. In light of  
18 1996 amendments to 28 U.S.C. § 1915, this court will not rule on plaintiff's request to proceed in  
19 forma pauperis.


20 The federal venue statute requires that a civil action, other than one based on  
21 diversity jurisdiction, be brought only in “(1) a judicial district where any defendant resides, if all  
22 defendants reside in the same State, (2) a judicial district in which a substantial part of the events  
23 or omissions giving rise to the claim occurred, or a substantial part of property that is the subject  
24 of the action is situated, or (3) a judicial district in which any defendant may be found, if there is  
25 no district in which the action may otherwise be brought.” 28 U.S.C. § 1391(b).

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1 In this case, none of the defendants reside in this district. It appears that the claim  
2 arose in either Santa Barbara or Lancaster, both of which are in the Central District of California.  
3 Therefore, plaintiff's claim should have been filed in the United States District Court for the  
4 Central District of California. In the interest of justice, a federal court may transfer a complaint  
5 filed in the wrong district to the correct district. See 28 U.S.C. § 1406(a); Starnes v. McGuire,  
6 512 F.2d 918, 932 (D.C. Cir. 1974).

7 Accordingly, IT IS HEREBY ORDERED that this matter is transferred to the  
8 United States District Court for the Central District of California.

9 DATED: May 13, 2010

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13 KENDALL J. NEWMAN  
14 UNITED STATES MAGISTRATE JUDGE

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